

**CITY OF NEWPORT BEACH  
PLANNING COMMISSION AGENDA  
CITY COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD  
THURSDAY, JUNE 21, 2012  
REGULAR MEETING – 6:30 p.m.**

**MICHAEL TOERGE**  
Chair

**BRADLEY HILLGREN**  
Vice Chair

**FRED AMERI**  
Secretary

**TIM BROWN**

**KORY KRAMER**

**JAY MYERS**

**LARRY TUCKER**

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

**KIMBERLY BRANDT, Community Development Director**

**BRENDA WISNESKI, Deputy Community  
Development Director**

**LEONIE MULVIHILL, Assistant City Attorney   TONY BRINE, City Traffic Engineer**

**NOTICE TO THE PUBLIC**

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's web site at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant of this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@newportbeachca.gov)).

**APPEAL PERIOD:** Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

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**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. PUBLIC COMMENTS**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.*

**V. REQUEST FOR CONTINUANCES**

**VI. CONSENT ITEMS**

**ITEM NO. 1      MINUTES OF JUNE 7, 2012**

**Recommended Action:** Approve and file

**VII. PUBLIC HEARING ITEMS**

*Speakers must limit comments to three (3) minutes on all items. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.*

*If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.*

**ITEM NO. 2      NEWPORT BANNING RANCH - (PA2008-114)  
Site Location: 5200 West Coast Highway**

**Summary:**

A proposed planned community on a 401.1-gross-acre project site for development of 1,375 residential dwelling units, a 75-room resort inn and ancillary resort uses, 75,000 square feet of commercial uses, approximately 51.4 gross acres of parklands, and approximately 252.3 gross acres of permanent open space.

**CEQA Compliance:**

An Environmental Impact Report (EIR) SCH No. 2009031061 to evaluate the environmental impacts resulting from the proposed project. The EIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code Section 21000 et seq.), and the State CEQA Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Section 15000 et seq.).

**Recommended Action:**

1. Conduct continued public hearing;
2. Adopt Resolution No. \_\_\_\_ recommending to the City Council certification of Environmental Impact Report No. ER2009-002 (SCH No. 2009031061);
3. Adopt Resolution No. \_\_\_\_ recommending to the City Council approval of General Plan Amendment No. GP2008-008, Code Amendment No. CA2008-004, Planned Community Development Plan No. PC2008-002, Master Development Plan No.

MP2008-001, Tentative Tract Map No. NT2008-003, Affordable Housing Implementation Plan No. AH2008-001, and Traffic Study No. TS2008-002 and recommending to the City Council the adoption of a Statement of Overriding Considerations; and

4. Adopt Resolution No. \_\_\_\_ recommending to the City Council approval of Development Agreement (DA2008-003).

## **VIII. OTHER BUSINESS**

### **ITEM NO. 3 REVIEW OF RULES OF PROCEDURES OF THE PLANNING COMMISSION (PA2012-065) Site Location: N/A**

#### **Summary:**

On May 3, 2012, the Planning Commission directed staff to draft amendments to certain sections of the RULES OF PROCEDURES OF THE PLANNING COMMISSION (Procedures) for the Commission's consideration on June 21, 2012.

In accordance with Section XV, the Planning Commission may propose to amend or add to the Procedures at a regular meeting. The Procedures require written notice of the proposed amendment(s) or addition(s) to be filed with the Ex-Officio Secretary, prior to the Planning Commission taking final action on any proposed changes.

#### **CEQA Compliance:**

Revising the Planning Commission Rules of Procedures is not considered a "project" as defined by the California Environmental Quality Act (CEQA) in that this action has no potential to result in direct or indirect physical change to the environment.

#### **Recommended Action:**

1. Review and modify, if necessary, the proposed amendments to the Rules of Procedures of the Planning Commission for final action on July 5, 2012.

## **IX. STAFF AND COMMISSIONER ITEMS**

### **ITEM NO. 4 COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

### **ITEM NO. 5 ANNOUNCEMENTS ON MATTERS THAT THE PLANNING COMMISSION MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT.**

### **ITEM NO. 6 REQUESTS FOR EXCUSED ABSENCES**

## **X. ADJOURNMENT**